सत्यमेव जयते

राजस्थान राजपत्र विशेषांक	RAJASTHAN GAZETTE Extraordinary
साधिकार प्रकाशित	Published by Authority

भाद्र 31, बुधवार, शाके 1943-सितम्बर 22, 2021

Bhadra 31, Wednesday, Saka 1943- September 22, 2021

भाग 4 (ग)

उप-खण्ड (I)

राज्य सरकार तथा अन्य राज्य-प्राधिकारियों द्वारा जारी किये गये (सामान्य आदेशों, उप-विधियों आदि को सम्मिलित करते हुए) सामान्य कानूनी नियम।

LOCAL SELF GOVERNMENT DEPARTMENT

NOTIFICATION

Jaipur, September 20, 2021

G.S.R.339 .-In exercise of the powers conferred by section 337 of the Rajasthan Municipalities Act, 2009 (Act No. 18 of 2009) and all other powers enabling it in this behalf, the State Government hereby makes the following rules further to amend the Rajasthan Municipalities (Disposal of Urban Land) Rules, 1974, namely:-

1. Short title and commencement.- (1) These rules may be called the Rajasthan Municipalities (Disposal of Urban Land) (Amendment) Rules, 2021.

(2) They shall come into force at once.

2. Amendment of rule 3.- The existing sub-rule (2) of rule 3 of the Rajasthan Municipalities (Disposal of Urban Land) Rules, 1974, hereinafter referred to as the said rules, shall be substituted by the following, namely:-

"(2) Any allottee or lessee or sub-lessee to whom all rights have been transferred by lessee and who holds land only on lease hold basis may get his tenure and status of holding converted from lease hold basis to free hold basis on payment of 10 years lease amount at one time:

Provided that the lessee, who have already paid one time urban assessment or ground rent and no longer required to pay any urban assessment or ground rent for remainder of the tenure of the lease, may avail the option of converting their tenure and status from lease hold basis to free hold basis on payment of two years urban assessment or ground rent at one time."

3. Amendment of rule 7.- The existing sub-rule (1) of rule 7 of the said rules shall be substituted by the following, namely:-

"(1) The Urban Assessment or ground rent shall be fixed at the rate of two and half percent of the reserve price prevailing at the time of allotment of land in case of land to be used or used for any purpose including multiplex unit except the commercial purposes and five percent of the reserve price prevailing at the time of allotment of land for the commercial purposes:

Provided that the State Government shall have powers to permit charging urban assessment on such rates, terms and conditions as may be specified by the State Government on merits of each case, where the land is allotted under any allotment policy."

4. Substitution of rule 10.- The existing rule 10 of the said rules shall be substituted by the following, namely:-

"**10. Reservation of residential plots for allotment at fixed rates to specified categories of persons.-** In the scheme approved under rule 9, the Board shall reserve residential plots for allotment at fixed rates to categories of persons specified in these rules or as may be specified by the State Government, from time to time."

5. Amendment of rule 15-A.- The existing sub-rule (1) of rule 15-A of the said rules shall be substituted by the following, namely:-

"(1) If a person who purchases the independent plot or other plot through public auction for residential or commercial purposes has not constructed one dwelling unit/commercial unit, as the case may be, in case of independent plot or in case of other plot such as for group housing, flats, institutional purposes, commercial purposes etc. has not constructed 1/5 of ground coverage of plot area within five years from the date of purchase of independent plot or other plot, he shall be liable to pay levy at the following rates:-

S.N.	Period of non construction	Levy
1	2	3
1.	0 to 5 years	NIL
2.	after 5 year and upto 10 years	1% per year of the prevailing reserve price
3.	after completion of 10 year, the Board shall issue a notice to the allottee/ lessee to complete the construction within a period of six month.	2% per year of the prevailing reserve price for the period beyond 10 years including the notice period.
4.	after completion of notice period	lease shall automatically stand cancelled.

Provided that Board may, on application of lessee/ allottee, regularise and restore such canceled lease with the approval of the State Government, if such land has not been allotted to any other person and lessee is prepare to pay an additional levy at the rate of two percent per year of the current prevailing reserve price in addition to levy payable for ten years."

6. Insertion of rule 15B.- After the existing rule 15A and before the existing rule 16 of the said rules, the following new rule 15B shall be inserted, namely:-

"**15B. Disposal of land by inviting tenders or on fix rate.-** Notwithstanding anything contained in these rules, the Board may with the previous approval of the State Government,-

(i) allot land in scheme area, on such terms and conditions as it may deem fit to any association, company or developer for execution of any scheme on behalf of the Board;

(ii) dispose of its land by inviting tenders, on such terms and conditions as may be decided by the State Government; and

(iii) prepare scheme for allotment on fixed rate,-
(a) for establishing a market for trade or business; or
(b) for shifting any trade or business from congested area of the city; or
(c) for rehabilitation of persons displaced from any area as a result of any development work in that area; or
(d) for special purpose such as residential, commercial, mixed use and residential cum dairy purpose."

7. Amendment of rule 17.- In rule 17 of the said rules,-

(i) in heading, for the existing expression "Allotment of Residential plots at concessional rates", the expression "Allotment of Residential plots at fixed rates" shall be substituted;
(ii) the existing sub-rule (2) shall be substituted by the following, namely:-

"(2) The residential plots in a scheme shall be reserved for allotment to the following categories of persons who are bonafide resident of the Rajasthan for construction of a house at fixed rates:-

S.No.	Category	Income criteria	Reservation in scheme
1	2	3	4
1.	Government Servant etc,- (a)Rajasthan State Government Servants including employees of local authorities and statutory bodies of the State	Whose income does not exceed Rs. 20.00 lacs p.a. at the time of allotment.	10%
	(b) Widows of Government servants upto a period of 10 years after the death of the Government servant	Whose husband's income did not exceed Rs. 6.00 lacs p.a. at the time of his death.	
	(c) Central Government employees	Whose income does not exceed Rs. 20.00 lacs p.a. at the time of allotment.	
2.	Defence personnel including ex-servicemen and their families and Border Security Force, Central Industrial Security Force and Central Reserve Police Force personnel: Provided that the priority for allotment of plot amongst them shall be fixed in following order:- (i) to the widows and dependents of army personnel who have lost their lives while defending borders of the country and to the	Whose income does not exceed Rs. 20.00 lacs p.a. at the time of allotment.	10%

	widows and dependents of Border Security Force, Central Industrial Security Force and Central Reserve Police Force Personnel, who have lost their lives while performing their duties; (ii) to disabled army Border Security Force, Central Industrial Security Force and Central Reserve police personnel; and (iii) other army Border Security Force, Central Industrial Security Force and Central Reserve Police Force personnel.		
3.	Persons belonging to Scheduled Castes and Scheduled Tribes	Whose income does not exceed Rs. 20.00 lacs p.a. at the time of allotment.	15%
4.	Accredited Journalists.	Whose income does not exceed Rs. 20.00 lacs p.a. at the time of allotment.	02%
5.	Persons with benchmark disabilities as defined in the Rights of Persons with Disabilities Act, 2016 (Central Act No. 49 of 2016) with appropriate priority to woman with such disability.	Whose income does not exceed Rs. 20.00 lacs p.a. at the time of allotment.	05% of total plots. This reservation shall be treated as horizontal reservation and plots allotted to the persons with benchmark disabilities should be adjusted against the percentage of other categories for which plots are reserved and unreserved plots
6.	Destitute and land less single women	Whose income does not exceed Rs. 0.80 lac p.a. at the time of allotment.	10% of total plots. This reservation shall be treated as horizontal reservation and plots allotted to the Destitute and land less single women should be adjusted against the percentage of other categories for

			which plots are reserved and unreserved plots
7.	Transgender person	Whose income does not exceed Rs. 20.00 lacs p. a. at the time of allotment.	02%
Note: If no applications is received for allotment of plots reserved for any category, the plot so reserved may be allotted or sold to any person as may be decided by the Board**.**			

"

(iii) the existing sub-rule (3) and (3A) shall be deleted;

(iv) the existing sub-rule (4) shall be substituted by the following, namely:-

"(4) The size of the plot and price to be charged from various categories of persons entitled for allotment under this rule shall be as under:-

S. N.	Category of person	plot size (Sq. meters)	Rate to be charged
1	2	3	4
1.	Economically Weaker Section whose income does not exceed Rs. 3,00,000/- p.a	upto 45	50% of the reserve price
2.	Low Income Group whose income is Rs. 3,00,001/- to 6,00,000/- p.a	above 45 and upto 75	80% of the reserve price
3.	Middle Income Group –A whose income is Rs. 6,00,001/- to 12,00,000/- p.a	above 75 and upto 120	at reserve Price
4.	Middle Income Group - B whose income is Rs. 12,00,001/- to 18,00,000/- p.a	above 120 and upto 220	105% of the reserve price
5.	Higher Income Group whose income is above Rs. 18,00,000 p.a	above 220	110% of the reserve price

"

(v) the existing sub-rule (5) shall be substituted by the following, namely:-

"(5) The cost of land shall be deposited by the allottee within a period of thirty days from the date of receipt of intimation for depositing the amount:

Provided that the allottee may deposit the said amount within the next 90 days from the day of expiry of said period of thirty days along with an interest @ 15% per annum. Interest shall be charged with effect from the thirty first day from the date of receipt of intimation for depositing the amount, failing which the allotment of land shall automatically stand cancelled.

Provided further that such allotment of land may be regularised by withdrawing the automatic cancellation if the allottee is prepared to pay the full amount of cost of land plus penalty and interest at following rates:-

S. N.	Period from allotment	Rate of interest on remaining amount	penalty	Authority for regularisation
1	2	3	4	5
1.	121 days and upto 1	@15% per annum	5% of	Chairman of

	year		remaining amount	the Board
2.	more than 1 year and upto 2 years	@15% per annum	10% of remaining amount	Board (decided in Board meeting)
3.	more than 2 years	@15% per annum	15% of remaining amount	State Government

"

(vi) the existing sub-rule (6) shall be substituted by the following new sub-rule (6) and (7), namely:-

"(6) A person who has been allotted a plot at fixed rates shall not transfer the plot before the expiry of ten years from the date of allotment:

Provided that if an allottee intends to transfer his plot within ten years from the date of allotment, he shall have to pay levy at the rate prescribed as under:-

S.N.	Period from the date of allotment	Levy
1.	0 to 5 years	10% of prevailing reserve price.
2.	more than 5 years and upto 10 years	5% of prevailing reserve price

(7) A person who has been allotted a plot at fixed rates fails to construct one dwelling unit within five years from the date on which possession of land so allotted is handed over to him such allotment shall automatically stand cancelled and the allottee shall not be eligible for allotment of a plot in future:

Provided that such automatic cancellation may be regularised by withdrawing the such automatic cancellation, if the allottee is prepared to pay the levy at following rates:-

S.N.	Period from the date of possession handed over	Levy
1	2	3
1.	0 to 5 years	Nil
2.	after 5 years and upto 10 years	1% per year of prevailing reserve price
3.	after completion of 10 year, the Board shall issue a notice to the allottee/ lessee to complete the construction within a period of six month.	2% per year of the prevailing reserve price for the period beyond 10 years including the notice period.
4.	after completion of notice period	lease shall automatically stand canceled.

Provided further that Board may, on application of lessee/ allottee, regularise and restore such canceled lease with the approval of the State Government, if such land has not been allotted to any other person and lessee is prepare to pay an

additional levy at the rate of two percent per year of the current prevailing reserve price in addition to levy payable for ten years."

8. Amendment of rule 18.- After the existing sub-rule (2) of rule 18 of the said rules, the following new sub-rule (3) shall be added, namely:-

"(3) If land has been allotted to any institution under sub-rule (1) and such institution has not constructed the building within a period of four years from the date of allotment then the allotment/ lease of such land shall automatically stand cancelled. On cancellation of allotment/ lease, the institution shall surrender the land back to the Board immediately and the cost of such land paid by the allottee institution shall not be refunded and the institution shall not be eligible for allotment in future:

Provided that the Board may, on application of lessee/ allottee institution, regularise and restore the allotment and extend the period of construction for one year from the date of such cancelation on such conditions as may be specified by the State Government, if such land has not been allotted to any other person or institution.

Provided further that the State Government may restore and regularise the allotment even after expiry of the above extended period of one year on such conditions as may be specified by it, if such land has not been allotted to any other person or institution."

9. Insertion of new rule 18 A, 18 B, 18 C and 18 D.- After rule 18, so amended and before the existing rule 19 of said rules, the following new rule 18 A, 18 B, 18 C and 18 D shall be inserted, namely:-

"**18-A. Allotment of undeveloped land to Public, charitable and other institution.-** (1) The Board may with the previous sanction of the State Government,-

(a) allot any land acquired by the State Government and transferred to the Board, or

(b) allot any land purchased by the Board without undertaking or carrying on any improvement thereon to Public and Charitable or any other institution on the following terms and conditions:-

(i) that the institution should be registered under the Rajasthan Co-operative Societies Act, 1965 (Act No. 13 of 1965) or the Rajasthan Public Trust Act, 1959;

(ii) that the land shall be allotted to such institution on payment of the following price:-

(a) cost of land;

(b) 20 percent of the cost of land to cover administrative charges to the Board; and

(c) cost of development, if any development has been undertaken by the Board;

(iii) that no land shall be allotted in the area which have commercial utility;

(iv) that the land so allotted shall not be transferable either by sale or otherwise to any one;

(v) that the institution shall complete the construction of the building for which the land is allotted within a period of two years from the date of handing-over possession of the land;

(vi) that where construction is not completed within the time prescribed under clause (v), allotment shall automatically stand cancelled. On cancellation of allotment such institution shall surrender the land back

to the Board immediately and the cost of such land paid by the allottee institution shall not be refunded and the institution shall not be eligible for allotment in future:

Provided that the Board may, on application of lessee/ allottee institution, regularise and restore the allotment and extend the period of construction for one year from the date of such cancelation on such conditions as may be specified by the State Government, if such land has not been allotted to any other person or institution.

Provided further that the State Government may restore and regularise the allotment even after expiry of the above extended period of one year on such conditions as may be specified by it, if such land has not been allotted to any other person or institution.

(vii) that the land shall not be put to any commercial utility;
(viii) that the institution to whom land is allotted has not acquired land either by allotment or otherwise at any place in the State; and
(ix) that on violation of any of the above conditions, allotment shall stand cancelled and land shall revert to the Board.

18-B. Allotment of land for Group Housing Scheme etc.- (1) The Board may with the prior approval of the State Government on such conditions as may be determined by it, allot land to group of persons or a society or an association or a company or a builder for construction of houses for the sections of the society on reserve price and on the lease hold basis for the period of 99 years:

Provided that State Government may reduce the price on the merit of each individual case.

(2) After the 25% of the cost of the land is deposited by the allottee, the possession of the land shall be handed over to him for development.
(3) The lessee may further sub-let the developed land at the terms and conditions and other provisions contained in these rules in so far as they relate to Board, shall *mutatis mutandis* apply to sub-leasee also, as if the land in question has been let out to them by the Board.

(4) The periods of the sub-lease by the lessee shall be determined by it, but shall not exceed in any case 99 years or period of original lease whichever is less.
(5) The sub-leases shall continue to be governed by all other terms and conditions prescribed in these rules or orders that may be issued in this behalf by the State Government, from time to time.

18-C. Allotment of land for Joint Venture Scheme.- (1) With the prior approval of the State Government on such conditions as determined by it, the Board may allot land to a society or an association or a company or a builder or organisation for construction of houses for different categories of plot size on the basis of income group on the mutual agreement with the Board on reserve price and on basis of lease hold for the period of 99 years:

Provided that State Government may reduce the price in appropriate case.

(2) The lessee may further sub-let the developed land at the terms and conditions and other provisions contained in the rules and in agreement shall mutatis mutandis apply to sub-leasee also, as if the land in question has been let out to them by the Board.

(3) The periods of the sub-lease by the lessee shall be determined by it but shall not exceed in any case 99 years or period of original lease whichever is less.

(4) The sub-leases shall be governed by all other terms and conditions prescribed in these rules or orders that may be issued in this behalf by the State Government, from time to time.

18-D. Allotment of Land for Warehouse and Godowns or Cold storage for agriculture commodities.- The land for construction of Warehouse and Godowns or Cold storage for preservation of agriculture commodities shall be allotted on 50% of reserve price:

Provided that constriction of Warehouse and Godown or Cold storages should be completed within two years from the date of possession taken."

10. Amendment of rule 19.- The existing condition (9) of rule 19 of said rules shall be substituted by the following, namely:-

"(9) That where the construction is not completed within the time prescribed under the condition number (7) above, the allotment shall automatically stand cancelled. On cancellation of allotment the institution shall surrender the land back to the Board immediately and the cost of such land paid by the allottee institution shall not be refunded and the institution shall not be eligible for allotment in future:

Provided that the Board may, on application of lessee/ allottee institution, regularise and restore the allotment and extend the period of construction for one year from the date of such cancelation on such conditions as may be specified by the State Government, if such land has not been allotted to any other person or institution.

Provided further that the State Government may restore and regularise the allotment even after expiry of the above extended period of one year on such conditions as may be specified by it, if such land has not been allotted to any other person or institution."

11. Insertion of new rule 20-A.– After the existing rule 20 and before the existing rule 21 of the said rules, the following new rule 20-A shall be inserted, namely:-

"20-A. Transfer of name.- If land was transferred by lessee/allottee, for transfer of name, the transferee shall submit an application along with registered sale deed, registered gift deed, will or any other relevant document of transfer and application fees. The transferee shall also pay name transfer fees for each transfer at the following rate, namely:-

S.N.	Area of land (In square meter)	Rate in rupees per square meter
1.	upto 100 Sqm.	10/-
2.	above 100 to 300 Sqm.	15/-
3.	above 300 to 500 Sqm.	20/-
4.	above 500 Sqm.	25/-

Provided that no name transfer fees shall be charged for transfer of name in favor of successor of deceased allottee/lessee.

Provided further that transfer of name shall be made after the examination of registered documents or will (which is not compulsorily registered). No officer or employee shall visit site of the plot/ building in case of proceedings for transfer of name."

12. Deletion of Schedule.- The existing Schedule appended to the said rules shall be deleted.

[NO.F.8(Ga)( )Niyam/DLB/2021/ 66263]
By order of the Governor,
Deepak Nandi,
Director & Special Secretary to the Government.

राज्य केन्द्रीय मुद्रणालय,जयपुर।